

503  
E-101  
CMLad  
surface friction, the lubricant coating being formed on each reinforcement member such that the lubricant coating and the shield coating are separated from each other by the reinforcement member.

503  
E-101  
C2  
6. (Amended) The light shielding blade material according to claim 1, wherein the substrate comprises a plastic film selected from one of the group consisting of a polyethylene terephthalate film, a polyethylene naphthalate film, and an aramid film, the plastic film being free of a carbon black and having an optical density of zero, or the plastic film being kneaded with a carbon black and having an optical density of 8 or less.

### REMARKS

The objection to claim 6 has been obviated by revising this claim into proper Markush form.

The rejection of claim 6 under 35 U.S.C. §112, second paragraph, has been obviated by revising claim 1 to remove the words "consisting of" a plastic film in the second paragraph thereof.

Applicants respectfully traverse the rejection of claim 1 under 35 U.S.C. §103. While claim 1 has been revised to change "a substrate consisting of a plastic film to --a substrate composed of a plastic film--, it has been further amended in line 3 to specify that the substrate has "no reinforcing fibers". Consequently, claim 1 is now patentable over the Matsubara '715 patent, as this reference clearly shows an intermediate layer 7 having short carbon fibers 5 embedded therein in both embodiments (see Figures 2 and 3).

To compensate for the deficiencies of the Matsubara '715 patent, the Examiner relies upon the Takahashi '465 patent in her § 103 rejection. Specifically, the Examiner states that:

"Matsubara does not specifically show that its intermediate layer 7 excludes fibers as instant claim 1. Takahashi shows in column 1, lines 41-50 that light-shielding blade materials include plastics such as polyethylene, polypropylene, or carbon-reinforced materials of the same plastics."

However, the Examiner should note that, as the Takahashi '465 patent is owned by the same assignee (i.e., Copal Company Limited located in Tokyo, Japan) as the instant application and as the Examiner must rely upon the § 102(e) date (i.e., the filing date of May 1, 1998) in

making her rejection, that paragraph (c) proscribes such a reference from being used in a § 103 rejection.

“(c) subject matter developed by another person, which qualifies as prior art only under one or more of the subsections (e), (f) and (g) of § 102 of the Title, shall not preclude patentability under the section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.”

As the Matsubara ‘715 patent neither discloses nor suggests a substrate composed of a plastic film “having no reinforcing fibers...”, and as the Takahashi ‘465 patent cannot be used as a reference against any of the claims of this case pursuant to 35 U.S.C. §103(c), applicant submits that claim 1 is clearly patentable over the art of record.

Claim 2 is patentable at least by reason of its dependency upon claim 1.

Claim 3 has been cancelled, and hence requires no discussion.


Claims 4 and 5 are patentable at least by reason of their dependency upon amended claim 1.

Claim 6 is patentable not only by reason of its dependency upon claim 1, but because of the Examiner’s reliance upon the Takahashi ‘465 patent which, as pointed out before, cannot be relied upon in a rejection based upon 35 U.S.C. §103.

The same argument submitted on behalf of the patentability of claim 6 applies to claim 7 as well, as the Examiner has again relied upon the Takahashi ‘465 patent.

Now that all of the claims are believed to be allowable, the prompt issuance of a *Notice of Allowance* is hereby earnestly solicited.

Respectfully submitted,

  
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**MARKED UP VERSION OF AMENDED CLAIMS**

1. (Twice Amended) A light shielding blade material for use in an optical apparatus, comprising:

a substrate [consisting] composed of a plastic film having a pair of surfaces opposed to each other, said substrate having no reinforcing fibers;

a shield coating being capable of blocking an incident light and being formed on each surface of the substrate, the shield coating being composed of a paint resin containing a carbon black;

a reinforcement member disposed on each shield coating, the reinforcement member being composed of a thermosetting resin prepreg sheet reinforced with fibers arranged in an alignment direction, and hardened to laminate with the substrate through the shield coating, the thermosetting resin prepreg sheet containing no carbon black; and

a lubricant coating having a black appearance and a lubricity sufficient to suppress a surface friction, the lubricant coating being formed on each reinforcement member such that the lubricant coating and the shield coating are separated from each other by the reinforcement member.

6. (Amended) The light shielding blade material according to claim 1, wherein the substrate comprises a plastic film selected from one of the group consisting of a polyethylene terephthalate film, a polyethylene naphthalate film, and an aramid film, the plastic film being free of a carbon black and having an optical density of zero, or the plastic film being kneaded with a carbon black and having an optical density of 8 or less.